

### **REMARKS**

Applicant thanks the Examiner for the careful review of the present application, and for an indication of allowable subject matter. Applicant has reviewed the final Office Action mailed July 19, 2006, and present the following remarks in response. In the present response, claims 1-40 are pending. Claim 1 is amended. No new matter is added by way of this amendment.

#### **Rejections Under 35 U.S.C. § 102**

The Office Action rejected claims 1-4 and 6 under 35 U.S.C. § 102(b) as anticipated by Martin (U.S. Patent No. 3,615,048). Applicant respectfully traverses the rejection.

##### **A. “Web Guide” or “Positioning Guide” Refers to Overall Structure, Not A Single Roller.**

First, Applicant reaffirms that the plain meaning of “positioning guide” refers to an entire apparatus for adjusting lateral alignment. However, notwithstanding the Examiner’s position with respect to the plain meaning of the term, Applicant further notes that he has acted as his own lexicographer by defining the term “positioning guide” or “web guide” by implication in the patent specification. *See* M.P.E.P. § 2111.01. For example, web guides 14, 16 of Figure 1 in the present application refer to overall structures, rather than single rollers. Furthermore, the web guides 14, 16 of the present application are discussed as having an entrance span, a guide span, and an exit span. *See, e.g.*, page 4, lines 5-6; page 4, lines 18-26; page 8, lines 20-23. Applicant asserts that such a configuration would be impossible if single rollers within a structure are considered web guides, because no guide span would exist. Hence, Applicant by implication has defined “web guide” and “positioning guide” as incorporating more than a single roller.

##### **B. Martin Does Not Anticipate Claim 1 As Currently Presented.**

Second, Applicant asserts that regardless of the definition of “web guide” or “positioning guide” used, Martin does not anticipate independent claim 1. Applicant notes that independent claim 1 requires “passing the web through the second positioning guide wherein the second positioning guide positions the moving web independently of the first positioning guide with a mechanism having zero-backlash.” Applicant notes that Martin does not disclose at least this element.

Applicant asserts that Martin does not disclose passing the web through the second positioning guide wherein the second positioning guide positions the moving web independently of the first positioning guide with a mechanism having zero-backlash. Applicant notes that

Martin discloses first and second rollers 12, 14 attached to a carriage 16. *See* Martin, Figure 1. Martin shows both rollers attached at axles 22, 24 to side rails 18, 20. When the system of Martin pivots to adjust the lateral position of a web, the first and second rollers must pivot in a coordinated manner because both rollers are attached to a fixed carriage. Applicant therefore asserts that Martin does not disclose independent positioning of first and second positioning guides, and as such cannot anticipate claim 1 as presented.

**C. Claim 1 is not Obvious in View of Martin.**

In response to the Examiner's "Response to Arguments" regarding the obviousness of independent positioning guides, Applicant respectfully disagrees with the Examiner regarding the obviousness of independently controlling the first and second positioning guides.

First, Applicant notes that independent control of the first and second positioning guides requires more than simple "duplication of the essential working parts" as alleged. This is because a number of features claimed, such as "positioning a first positioning guide proximate a second positioning guide" would not be taught or suggested even with duplication of the system disclosed in Martin. Furthermore, addition or duplication of the sensing or adjustment features of Martin would require significant additional and nonobvious design, because at least one of the rollers 12, 14 of Martin would need to be separated from the carriage. Because of the pivoting action and close proximity of the rollers 12, 14 of Martin, additional nonobvious support and control structure would need to be incorporated into any design to prevent adjustment of the web with the first roller 12 from interfering with adjustment at the second roller 14.

Second, Applicant notes that, contrary to the assertions in the Office Action, Martin in fact does not disclose a sensor attached to the first positioning guide. Rather, Martin discloses that in the prior art, "sensing means have . . . been positioned at the first fixed roll after tilt box". Martin, col. 2, lines 17-18 (emphasis added). In terms of the system disclosed in Figure 1 of Martin, this means that the sensing means would be located at roll 52 rather than at roll 14. Similarly, when applied to the present application, the disclosure of Martin would teach positioning the sensor 54 of the second positioning guide at roller 34 instead of at roller 50. *See* Figure 1. Such a sensor would be irrelevant to the subject matter claimed in the present application, which requires independent control of first and second positioning guides. Martin in fact teaches away from inclusion of such a sensor, because it describes a number of drawbacks of

such a configuration, such as hunting or slow response times. Martin, col. 2, lines 20-24.  
Therefore, Martin cannot teach or suggest at least this element as well.

**D. Claims 1-4 and 6 are not Anticipated or Obvious in view of Martin.**

For at least the above reasons, Applicant notes that Martin does not anticipate nor render obvious claim 1 as currently presented. Claims 2-4 and 6 depend from claim 1, and therefore inherit all of the limitations therefrom. Applicant asserts that those claims are not anticipated as well. Applicant therefore respectfully requests reconsideration and withdrawal of the rejections of claims 1-4 and 6 for at least the above reasons.

**Rejections Under 35 U.S.C. § 103**

The Office Action rejected claims 5 and 11-19 under 35 U.S.C. § 103(a) as unpatentable over Martin. Applicant notes that these claims depend from independent claim 1, and as such inherit all of its features. Applicant therefore asserts that these claims are also not anticipated and nonobvious for at least the reasons set forth above. Applicant respectfully requests reconsideration and withdrawal of the rejections of these claims as well.

**Conclusion**


In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,



MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

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Erik G. Swenson  
Reg. No. 45,147  
ESwenson/AJL/dc